

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF VIRGINIA  
Richmond Division

In Re: Robert J. Hanratta and  
Kerry F. Hanratta,  
Debtors.

Case No. 11-33907-DOT  
Chapter 7 Proceeding

CITIZENS AND FARMERS BANK , )  
                                    )  
Plaintiff,                     )  
                                    )  
v.                              )  
                                    )  
ROBERT J. HANRATTA,          )  
KERRY F. HANRATTA,            )  
and                              )  
ROY M. TERRY, JR., Trustee, )  
                                    )  
Defendants.                    )

**CONSENT ORDER GRANTING RELIEF FROM STAY**

Upon consideration of the motion of Citizens and Farmers Bank to modify the automatic stay, and with the consent of the Debtors as evidenced by the signature of counsel hereto; it is ORDERED that the automatic stay imposed by 11 U.S.C. § 362 is modified as to the Debtors to permit the movant and its successors and assigns to enforce the lien of its deed of trust as it pertains to the real property located at Lot 7, Scarlet Oaks, Spencer District, Powhatan, Virginia 23139, and is more particularly described as follows:

ALL that certain lot, tract or parcel of land, lying and being in Spencer Magisterial District, Powhatan County, Virginia, being known and designated as Lot 7, containing 10 08 acres as shown on a plat of "Scarlet Oaks" made by LandTech Resources, Inc dated June 12, 2001, of record in the Clerk's Office of the Circuit Court of Powhatan County, Virginia, in Plat Cabinet F, Slide 193

Robert H. Chappell, III, Esquire (VSB #31698)

Jennifer J. West, Esquire (VSB #47522)

Erin E. Kessel, Esquire (VSB #65360)

Spotts Fain PC

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Counsel for Citizens and Farmers Bank

TOGETHER WITH, an undivided one-twelfth (1/12<sup>th</sup>) interest in that certain parcel designated as Common Area on the plat of "Scarlet Oaks" made by LandTech Resources, Inc dated June 12, 2001, of record in the Clerk's Office aforesaid in Plat Cabinet F, Slide 193, which said interest shall be appurtenant to and pass with title to the above described Lot 7

ALSO TOGETHER WITH, the right of ingress and egress of "Scarlet Oak Drive" for the purpose of access from Lot 7 to the aforesaid Common Area

ALSO TOGETHER WITH, a 50 foot access easement over "Scarlet Oak Drive" over Parcels A and C and Lots 1, 2, 5, 6, 8, 9 and 10 for the purpose of ingress and egress from Lot 7 to Academy Road as shown on the aforesaid plat

Being the same real estate conveyed to Robert Hanratta by deed from Virginia Land Resources, Inc , a Virginia corporation, dated June 15, 2001, recorded June 22, 2001 in the Clerk's Office, Circuit Court, Powhatan County, Virginia in Deed Book 436, page 249

which relief shall extend to the purchaser at the foreclosure sale to allow the purchaser to take such action under state law, as may be necessary, to obtain possession of the property. It is further

ORDERED that this Order shall not pertain to relief as to the Trustee, which relief may be granted by separate order of this Court following a hearing on the Motion or with consent of the Trustee.

DONE at Richmond, Virginia, this \_\_\_\_ day of August, 2011.

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United States Bankruptcy Judge

I ASK FOR THIS:

/s/ Erin E. Kessel

Robert H. Chappell, III, Esquire (VSB #31698)  
Jennifer J. West, Esquire (VSB #47522)  
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Counsel for Citizens and Farmers Bank

SEEN AND AGREED TO:

/s/ Kevin A. Lake (by Erin E. Kessel with permission via email)

Kevin A. Lake  
McDonald, Sutton & Duval, PLC  
5516 Falmouth Street, Suite 108  
Richmond, VA 23230  
Counsel for the Debtor

**CERTIFICATE OF SERVICE**

I hereby certify that a true copy of the foregoing Order Granting Relief From Stay was served by first class mail, postage prepaid, on the 12th day of August, 2011, to the following, constituting all necessary parties:

Robert J. Hanratta  
1000 Sommerworth Lane, Apt. 1527  
Richmond, VA 23233

Kevin A. Lake  
McDonald, Sutton & Duval, PLC  
5516 Falmouth Street, Suite 108  
Richmond, VA 23230

Kerry F. Hanratta  
1000 Sommerworth Lane, Apt. 1527  
Richmond, VA 23233

Roy M. Terry, Jr., Trustee  
DurretteCrump PLC  
P.O. Box 2188  
Richmond, VA 23218-2188

/s/ Erin E. Kessel

**PARTIES TO RECEIVE COPIES:**

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